

Independent Ethics Commission  
1300 Broadway, Suite 240  
Denver, CO 80203

**Attention:** Dino Ioannides, Executive Director

To whom it may concern;

To best of my knowledge, information and belief any information in response to complaint, case No. 17-25 are true and disclosures are provided in chronological order.

I have openly admitted to filling documents in November of 2016 prematurely and prior to a public meeting for approval. It was my understanding that a lot line or alleyway easement did not have to be done in a public meeting, only communicated with the board members for direction and per those conversations with several board members it was general consensus that there should be no problem with granting requests presented before the town. (Attached)

The initial request for a lot line vacation by The Brotherhood of the 74 was in December of 2015 and the initial request for the vacating of the alleyway was submitted by Donna Duncan in March of 2016 when I requested that she submit it in writing April of 2016. This was submitted by her Realtor. The Brotherhood of the 74 made this request a second time in November of 2016. (Attached)

In November of 2016 it was brought to my attention that these requests needed documented board approval prior to adjustment for the properties in connection with the recordings. At the December 2016 meeting I openly admitted that I had acted in haste, with no motive other than to accomplish the tasks before me. After that meeting I contacted the Town Attorney and then recorded the documents a second time with signatures as to the intention of the board, a Roll call vote at that meeting 7 yes (unanimous) to vacate lot lines and said alley way. (attached information provided and audio recordings are available). Audio recordings of the meetings are available for December 2016 through September 2017 meetings.

At the January meeting Mr. Harrison brought to the Board's attention that an alleyway is a right of way and needed to be vacated by an Ordinance as per the Colorado Revised Statutes (C.R.S.). After that meeting the Town Attorney was contacted regarding Mr. Harrison's input and confirmed that per C.R.S. an ordinance was needed. (attached are attorney emails with permission from the board and attorney) The Mayor thanked Mr. Harrison for bringing the ordinance to the Board's attention in the March meeting. The first reading of the ordinance for vacating the alleyway on both blocks 4 and 5 was read. During the April meeting was the second reading of the ordinance vacating the alleyway, roll call was taken and the ordinance passed with 4 yes, 2 no and one abstained vote by Mr. Ricotta.

Regarding Mrs. Mares submission it was to amend the minutes for December, however it was not in accordance with the audio recording. So the board approved it as an attachment to the minutes as her comments.

In Mr. Harrison's exhibit 5 was a clerical error as I was attempting to work on both vacating requests at the same time. This has already been addressed by Donna Duncan and at the county. There was no need for an additional recording.

As to Colorado Open Records Request (CORA), I have never denied any persons their request or access to public information. I provided Mr. Harrison with copies of October 2016 through January 2017 quick books registers of the town accounts. Further more I had stated that the bank statements could not be copied or leave town hall for security reasons and they would be made available at town hall for anyone to view. I recall Mrs. Mares reviewed the bank statements for the General Fund.

I have attached November 2017 meeting minutes to reflect the recess for executive session and the boards vote on 2016 Christmas bonuses for town employees. Mr. Ricotta was not a board member at this time.

Mr. Harrison had stated that Colorado Municipal League (CML) would come and provide training for the board. Mrs. Mares was asked to take the lead on that and set up a work shop. This is in the meeting minutes as well as when she stated that she wanted to wait and do a work shop at a later date.

There was never any intention of malice, nor any attempt to cover up a mistake(error). I had openly admitted and appologized several times and at several meetings. I entered this job with management and accounting experience and have learned more through on the job training.

I do not benefit from the alleyway being vacated. It was equally divided among the property owners: Donna & Jack Duncan 10 S Pikeview, Donna & Greg Railey 12 Pikeview, Town of Williamsburg(town shop) 2 N Pikeview and The Brotherhood of the 74, 4 N Pikeview.

In closing I have attached statements from property owners and a statement from Mrs. Donna Krautheim (one of the signed complaintants and former trustee). Documentation is in chronological order, e-mails pertaing to said alleyway and correspondence with the attorney, Mayor reports, meeting minutes and the recorded Ordinance.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Lucinda Ricotta', written in dark ink.

Mrs. Lucinda Ricotta  
Town Clerk, Town of Williamsburg  
1 John Street  
Williamsburg, CO 81226  
(719) 784-4511

Colorado Ethics Commission  
September 21, 2017

Donna Krautheim  
9 Cedar Ridge Rd.  
Williamsburg, CO 81226  
719-429-1250

To whom it may concern,

I served as an elected Trustee for the Town of Williamsburg, CO during the November 2014-November 2016 term. Although the matter of #4 Pikeview and the associated alleyway never was addressed in our monthly meetings, the matter was not unknown to me.

In December 2015 I received a copy of a request for lot line vacation for a recently purchased property on Pikeview. Some time later, Steve Ricotta, representing the property showed me an arial perspective of the place showing the lot lines and a narrow alleyway. He explained how vacating the lot lines would simplify the property regarding set backs, etc.

In April 2016 Lucinda included a copy of a handwritten citizen's request from Donna Duncan in my folder. I spoke to Lucinda about it in her office. The request was to vacate an alleyway that crossed Duncan's property and proceeded northward ending on private property. I told Lucinda I wouldn't know how to vote on the matter without the input of the other properties that vacating the alleyway could impact.

By the November 2016 meeting, I believe all parties possibly involved had been contacted, consulted and consented. Though due to the election the matter was not on the agenda. I was not re-elected and did not attend the meeting for several months and wasn't aware there had been a problem. I further believe the action had been sanctioned by Jerry Farringer, Mayor elect. I must admit, I didn't read the complaint I signed as thoroughly as I should have. The matter of the alleyway was known by myself and fellow trustees prior to the election of 2016.

In retrospect, any impropriety on Lucinda's part was more likely a result of misunderstanding rather than subterfuge.

If your office wishes to speak to me, my cell phone number is 719-429-1250.

Respectfully,

A handwritten signature in cursive script that reads "Donna Krautheim". The signature is written in dark ink and is positioned above the printed name.

Donna Krauthiem

Town of Williamsburg, Co.

Board of Trustee Meeting of November 7, 2016

**PRESENT:**

Joshua Baker, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Forrest Borre, Town Trustee  
Alberta Winslow, Town Trustee  
Nia Stewart, Town Trustee  
Jerry Farringer, Town Trustee  
Donna Krautheim, Town Trustee

**ABSENT:**

Citizens at meeting – 13

**CALL TO ORDER:** Meeting was called to order by Joshua Baker, Mayor at 7:00 p.m.

**PLEDGE ALLIGANCE:** Joshua led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** A motion was made by Jerry Farringer to approve the minutes of October 3, 2016. Donna stated she had some changes under the Town Clean-up. She submitted her changes in writing on Monday, October 3, 2016. Lucinda stated the office has a time limit on board members making minute corrections they need to be submitted by noon Thursday prior to the Monday's Board Meeting, this is due to each board member having their meeting packets (for review) before Thursday's office closure. Jerry amended his motion to accept Donna changes as an attachment to the October 3, 2016 meeting minutes. Donna seconded the motion. Roll Call: 3 yes, 3 no (Alberta, Nia, Billy Jack), 1 abstain (Joshua) and 0 absent. Forrest reminded the board that per the town code any abstention is considered a vote for the question; therefore Joshua's vote is too counted as a yes. So motion passes 4 yes to 3 no.

**CITIZENS COMMENTS:** No one signed up.

**EXECUTIVE SESSION:** Jerry made a motion to have an executive session. Billy Jack seconded the motion. Roll Call: 7 yes, 0 no, 0 abstain, 0 absent. Motion Carried. Went into executive session at 7:10 p.m. Meeting resumed at 7:18. Joshua stated they discussed a legal matter and personnel matters.

**MAYOR'S REPORT:** Stated the town's mayor and trustee election will be held shortly.

**COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's report which stated that Oak Creek, Chandler (79), Bear Gulch and Wilmont roads need dressed up. Black top roads are not any better, plugging asphalt pot holes with crusher fines. Currently there is no cold patch

available. Billy Jack's been volunteering driving Rockvale's road compactor to compact the newly purchased road material; this completed the end of money received from the FEMA grant. However the roads are really dry due to Williamsburg not receiving any moisture. The park is in good shape; however Rick's been finding drug needles in it. Fremont County Sheriff is patrolling the park daily. Please see attached report.

Donna questioned whatever happened to the water trailer the town purchased? Nia stated it's at her home and ready to be picked up.

PARKS: Nia reported that the park signs are being shipped now.

WATER: Alberta stated that she had nothing to report.

PLANNING & ZONING: There's a list of 5 citizens interested in volunteering for this committee. This issue will be addressed with the new board.

TREASURE: Forrest first commented that September's water loss being very small; almost non-existent. If it stays the same next month he will look into reducing the cost of the water.

Forrest read the financial reports for October 2016. Please See attached report.

Donna asked if they received the \$500.00 (for town clean-up) from the Go Williamsburg Club yet. Lucinda stated the Club's money is in the town safe but she would like to have a board member (witness) assist with taking out the money. Alberta stated that she can help with it.

TOWN CLERK: Lucinda reported that one building permit was issued in October; permit #929 for \$69.00.

Reported the town office called 911 twice in October over the same individual threatening and intimidating the office employees because of him being contacted twice for not complying with town ordinances on dog at large. The town attorney was contacted regarding a protection order.

Also being addressed by the town's attorney is a property compliance issue.

Billy Jack explained why the employees didn't feel safe and how the police responded to employees and individual that was given dog at large warnings. Billy Jack also commented on the employee's day to day safety. Billy Jack suggested possibly looking into hiring a town marshal that could be utilized by the 3 coal towns and split the pay between the 3 towns.

#### OLD BUSINESS:

##### 1. Code Book Status:

Jerry stated the Code Book Update is in the final stages of completion and Chapter 17 is complete and ready for public review.

2. Humane Society:

Billy Jack stated that he spoke with Deputy Worley from Fremont County Sheriff's Department regarding working with the town for animal pick-up; Officer Worley told Billy Jack that they currently have 1 code enforcement officer which is swamped and therefore cannot assist Williamsburg. Town board decided to wait until December before they make a decision to go with the Fremont County Humane Society Contract.

3. Budget Review: Budget for 2017 was looked at and discussed.

Annual cost of electricity was brought up and Mike Pearcey asked if town would be interested in Solar. He stated that he would purchase the town's first solar panel if the town agreed to purchase the second one. Mike was asked to look into the cost.

Lucinda brought up that she's checked around on the purchase of a bicycle rack but, has not heard anything back yet. Jerry stated that he would like to wait to hear back from the high school if they will make one or not.

NEW BUSINESS:

1. Forrest recommended that the 2 employees get a \$400.00 Christmas Bonus for 2016. Forrest made the motion to give Rick and Lucinda each \$400.00 Christmas Bonus. Nia seconded the motion. Roll Call: 6 yes, 1 no (Joshua), 0 abstain and 0 absent. Motion Carried.

CITIZENS COMMENTS:

1. Kathy Solomon – Brought up the bike rack and asked about police protection.
2. Lucinda stated that she received several complaints from town citizens about election board candidates going door to door campaigning, also the use of placing campaign letters into mail boxes.

More discussion held on dogs at large, Donna suggested getting pictures of the dog when it's out.

BUDGET ACCEPTANCE MEETING: Monday, December 5, 2016 at 6:30 p.m. Followed by Scheduled Board of Trustee Meeting at 7:00 p.m.

ADJOURNMENT: Billy Jack made a motion to adjourn the meeting. Second by Nia. All in favor Aye. Unanimous. Meeting adjourned at 8:10 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

Lot Line Vacation

Page 1 of 1

Subject: Lot Line Vacation

From: "Ricotta, Steven R CIV USARMY MEDCOM EACH (US)" <steven.r.ricotta.civ@mail.mil>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Cc: "bh74rgsec@gmail.com" <bh74rgsec@gmail.com>

Wed, 9 Dec 2015 19:07:09 +0000

9 December 2015

Subject: Lot Line Vacation

To: Town of Williamsburg, Colorado

Attention: Board of Trustees

We request the consideration to vacate lot lines separating lots 4 through 10, block 5 of the CF&I Subdivision of the Town Of Williamsburg, and this single parcel to be known as: 4 Pikeview, Williamsburg, CO 81226. This request is for the purpose of building on the said lots, as I believe that not allowed to build across lot lines.

Thank you for your consideration.

Regards,

Steven R. Ricotta, AKA  
Smurf / President  
Brotherhood of the 74  
Royal Gorge Chapter  
smurf74.co@gmail.com

To Whom it may concern

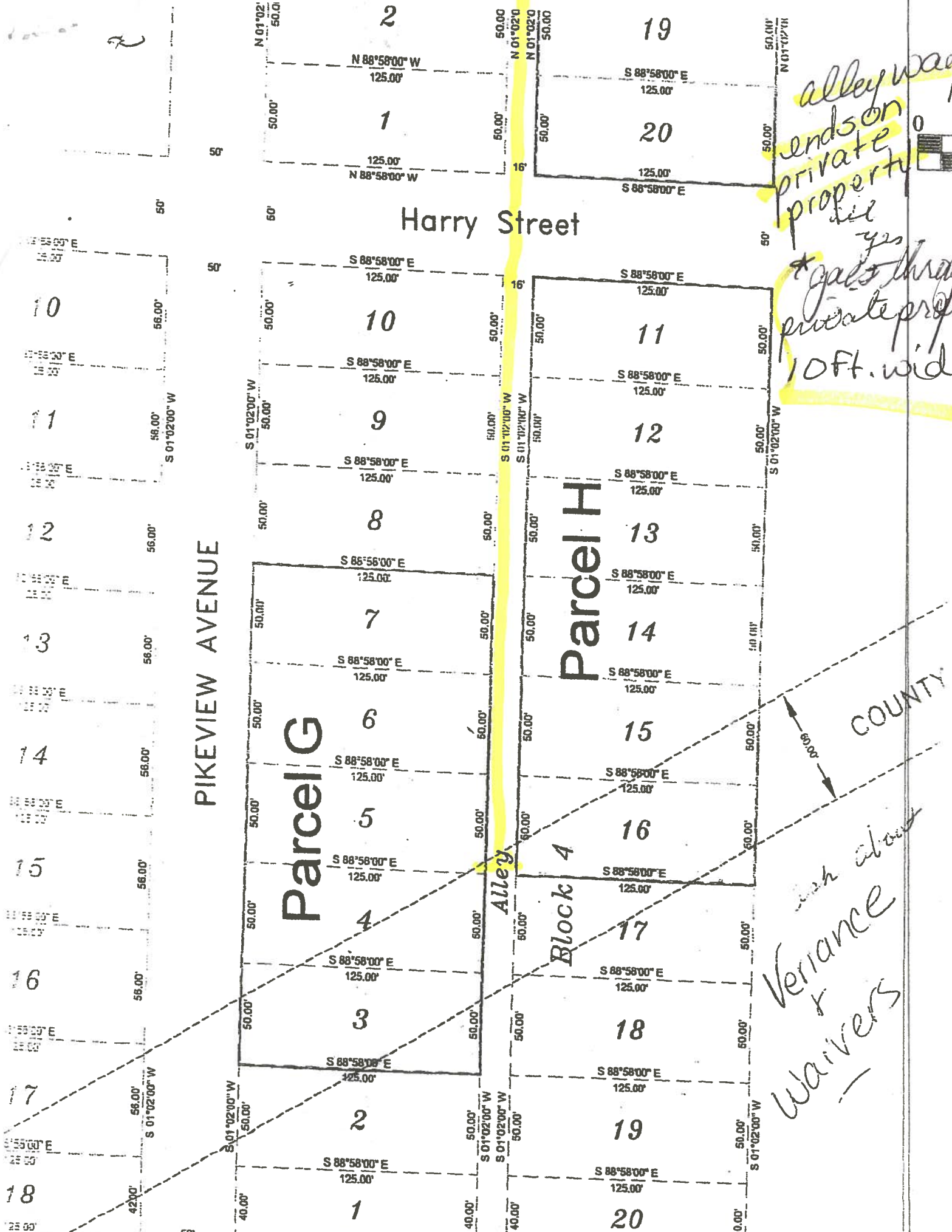
We would like to vacate the alley way running between our two properties to insure a builder will be able to meet the required set backs of the town of Williamsburg and for the current Septec Coid.  
following are the legal description of property

Sub: Williamsburg CFI CO  
Lots 3-7 & 11-16 Blk. 4 Colorado full 3 Ironco's  
~~add to date~~ Old Town Williamsburg Ref from  
992-04-447

Thank you  
Donna Duncan  
Jack Duncan

(719) 784-7272 4/25/16 \* Cant/ do public r.o.w.





PIKEVIEW AVENUE

Harry Street

Parcel G

Parcel H

Block 4

Alley

COUNTY

Variance & Waivers

alley way  
ends on  
private  
property  
yes  
gets through  
private prop  
10ft. wide

To Whom it may Concern

11-22-16

We would like to vacate the alleyway running between our two properties to insure a builder will be able to meet the Required Set backs of the Town of Williamsburg and for the County Septic Coed.

Following are the legal descriptions  
Sub Williamsburg CFI CO Lots 3-7 + 11-16  
Bk 4 Colorado Fuel + Iron CO

Thank you

Donna Duncan  
Jack Duncan

Subject: Lot Line Vacation (UNCLASSIFIED)

From: "Ricotta, Steven R CIV USARMY MEDCOM EACH (US)" <steven.r.ricotta.civ@mail.mil>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Mon, 14 Nov 2016 19:17:18 +0000

CLASSIFICATION: UNCLASSIFIED

Brotherhood of the 74  
President RG Chapter  
Steve Ricotta (Smurf)

Town of Williamsburg

Attn. Town Clerk  
Lucinda K. Ricotta  
1 John St  
Williamsburg, CO 81226

We, The Brotherhood of the 74 hereby request there a complete lot line vacation Block 5 of the Williamsburg, CF&I Plat, between lots 4 through 10, between lots 11 through 20, to include the Northern line Lots 4-10, and the Southern line lots 11-20, creating 1 parcel addressed as 3 Pikeview, Williamsburg, CO 81226.

Thank you for your attention in this matter.

Regards,

Steven R. Ricotta (Smurf)  
Brotherhood of the 74  
President, RG Chapter  
(719) 371-1111

CLASSIFICATION: UNCLASSIFIED

# **Town of Williamsburg**

Board of Trustees Meeting

Monday, December 5, 2016

**7:00PM**

## AGENDA

BUDGET HEARING: 6:30 p.m.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLLCALL:

LAST MEETING MINUTES APPROVAL:

TOWN TRUSTEES OATH OF OFFICE

CITIZENS COMMENTS: (5 **MINUTE TIME LIMIT**)

RETIRE TO EXECUTIVE SESSION IF NEEDED RE: LEGAL OR PERSONNEL MATTERS

MAYOR'S REPORT:

COMMITTEE REPORTS: Roads & Maintenance, Parks, Water, Planning Zoning

TREASURERS REPORT:

TOWN CLERK REPORT:

OLD & UNFINISHED BUSINESS:

1. Resolution 3 of 2016 - Budget Approval
2. Resolution 4 of 2016 - Retention
3. Resolution 5 of 2016- Mill Levy
4. Fremont County Humane Society Contract
5. Personnel Annual Bonuses

NEW OR OTHER BUSINESS:

1. Appointment of Planning & Zoning Committee
2. Hiring of Deputy Clerk & Code Enforcement Officer
3. Vacate Alleyway
4. Office Window

\*CITIZEN COMMENTS NOT ASSIGNED TO AGENDA (3 minute time limit)

NEXT SCHEDULED BOARD MEETING:

Regular Board of Trustees Meeting Scheduled for Monday, January 9, 2017 at 7:00 p.m.

ADJOURNMENT:

Town of Williamsburg, Co.  
Board of Trustee Meeting of December 5, 2016

**PRESENT:**

Joshua Baker, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Forrest Borre, Town Trustee  
Alberta Winslow, Town Trustee  
Nia Stewart, Town Trustee  
Jerry Farringer, Town Trustee

**ABSENT:**

Donna Krautheim, Town Trustee

Citizens at meeting – 15

Budget Workshop held prior to Board of Trustee Meeting at 6:30 p.m.

**CALL TO ORDER:** Meeting was called to order by Joshua Baker, Mayor at 7:05 p.m.

**PLEDGE ALLIGANCE:** Joshua led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** Nia made a motion to accept the meeting minutes of 11/07/2016 as presented. Billy Jack seconded the motion. Roll Call: 6 yes, 0 no, 0 abstain and 1 absent. Motion Carried.

Jerry made a motion to take a ten minute break before the swearing in of the newly elected board. Nia seconded the motion. Roll Call: 5 yes, 1 no (Joshua) 0 abstain and 1 absent. Motion Carried.

Newly elected board members took their assigned seating positions (at meeting table) for the swearing in of oath of office. Lucinda read the town results from the November 8, 2016 election. She then proceeded with the swearing in of oath of office for Jerry Farringer, Mayor at a 2 year term from December 2016 thru November 2018. Then the swearing in oath of office of Williamsburg town trustees; Shane Espinoza, Bob Buseti and Forrest Borre a 4 year term; Billy Jack Hawkins, Eva Mares and Steve Ricotta a 2 year term.

**CITIZENS COMMENTS:** No one signed up.

**EXECUTIVE SESSION:** Jerry made a motion to retire into executive session. Forrest seconded the motion. Forrest asked the board permission to allow Alberta to attend executive session due to her assisting him with the job interviews. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Board and Alberta retired into executive session at 7:20 p.m., returned at 7:49 p.m. Meeting resumed. Discussed their recommendation of who to hire as Code Enforcement and Deputy Clerk. .

**MAYOR'S REPORT:** Jerry thanked the community for electing him as town mayor.

He stated that his priority as mayor is to improve the condition of the town's paved roads; also research funding for a town Marshal (share between the three coal towns) and purchase of town equipment.

Jerry read a list of rules for public meeting process.

Jerry made a motion to have Billy Jack Hawkins continue as Pro-Tem Mayor. Forrest seconded the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

Jerry made a motion to have Forrest Borre continue as Treasure. Seconded by Shane Espinoza. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Assigned positions:

Check Signing: Forrest, Jerry and Billy Jack.

Personnel: Forrest and Bob.

Water: Eva and Jerry (Bob Bussetti alternative)

Parks: Steve Ricotta.

(Please see attached Mayor' Report)-

**COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's report for month of November. (Please see attached report)

**PARKS:** Steve reported the town has 3 parks. Park signs should be delivered soon; they were delayed due to the order being misplaced by the Signage Company.

Billy Jack brought up some unfinished business by asking if Rick ever received his uniforms yet. It was reported that he has not received them yet however, Lucinda is getting them ordered.

**TREASURE:** Forrest stated that the town is seeing minimal to no water loss. Looking at a possible decrease next month in water billing from \$3.98 1000 gallons to \$3.47 a 1000 gallons Billy Jack stated that Florence's is not making enough money on water since prison went to water saving measures and Florence may increase their rate in April. Forrest made a motion to lower town water cost. Billy Jack seconded the motion. Roll call: 7 yes, 0 no, 0 absent and 0 abstain. Motion carried:

Forrest made a motion to remove Alberta Winslow and Nia Stewart from check signing. Asked Forrest to defer his motion and bring up again under New Business.

Forrest started reading some account totals then stated they were wrong that he was reading some of the numbers of October's report. Please see Novembers attached report.

Eva asked if the town sold any water taps in November. Lucinda stated that 1 was sold however Florence has not been paid yet due to waiting for the check to clear.

**TOWN CLERK:** Lucinda reported that no building permits were issued in November. Reported she's working on the finalization of the budget; Mill Levy certification due by December 15, 2016, Hutf Report completed, Conservation Trust Recertification annual submittal. Inquiry of 3 water taps.

Lucinda is going to contact Florence to see if they could assist Rick with road maintenance by use of water truck and road grader. Florence plans to revisit the water system cost due to the federal prison not carrying their weight with water cost. Florence is offering a water tap discount and Lucinda will ask if it includes their debt retirement. Discussed the need on updating our water software; the old system is becoming obsolete she will e-mail board members with the information.

Eva recommended that the town give 1000 to 2000 gallons of water to customers at no cost. Lucinda commented that the town still has to pay for treatment and transport cost for the water and that there's no such thing as free water.

**OLD BUSINESS:**

**1. RESOLUTION 3 OF 2016 – BUDGET APPROVAL**

Jerry read the important parts of the budget; stated that before the budget goes out the figures will be double checked and needs to be completed next week. Jerry made a motion to accept the 2017 budget. Seconded by Forrest. Roll call 5 yes, 2 no (Shane & Eva) Eva gave reason that she did not have a chance to look at it. 0 abstain and 0 absent. Motion carried.

**2. RESOLUTION 4 OF 2016 – RETENTION**

Jerry read the retention list of town employee's and their positions also the 3 board of trustees that are check signers: Jerry Farringer, Forrest Borre & Billy Jack Hawkins. Motion was made by Jerry to approve the Resolution 4 of 2016 Retention. Seconded by Billy Jack. Roll Call: 5 yes, 2 no (Shane & Eva) 0 abstain and 0 absent. Eva did state that the date on resolution needed changed. Motion carried.

**3. RESOLUTION 5 OF 2016 – MILL LEVY**

Mill Levy will remain the same at 3.49 %. Results from the November 8, 2016 election for a Mill Levy increase did not pass. Motion made by Jerry to approve the Mill Levy Resolution 5 of 2016. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

**4. FREMONT COUNTY HUMANE SOCIETY CONTRACT**

Forrest commented that he would like to add an addition to the Humane Society contract stating that if did not provide the town of Williamsburg with monthly information on number of animal they picked up/brought in by citizens or code enforcement the town can withhold 1 month of pay. Forrest made the motion to accept the contract of \$645.00 a year with the addition and to allow Forrest & Billy Jack to negotiate with Humane Society Director Doug Rae. Billy Jack seconded the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

**5. PERSONNEL ANNUAL BONUSES**

Forrest made a motion to give personnel an annual bonus of \$400.00. Seconded by Bob. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Billy Jack asked if there was any information about the bike rack. Lucinda stated that she has not heard any response back from the Florence High School yet.

**NEW BUSINESS:**

**1. APPOINTING OF PLANNING AND ZONING COMMITTEE**



Lucinda stated the citizens that signed an interest in planning in zoning committee was Joe Purvis, Perry Souza, Ron Mares, David Lee, Billy Jack Hawkins, Bob Bussetti and Shane Espinoza. Board asked for Billy Jack to set up the meeting date. Jerry made the motion to accept the above list of citizens. Seconded by Steve Ricotta. Discussion Bob Bussetti withdrew from the committee due to having 3 board members and would be breach of the Sunshine law. List accepted minus Bob. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

## **2. HIRING OF DEPUTY CLERK & CODE ENFORCEMENT OFFICER**

Forrest stated that he and Alberta held job interviews. Forrest recommendation was to hire Donnita Hawkins a Deputy Clerk in January 2017 if she agrees to accept the position. Seconded by Steve Ricotta. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Forrest recommendation is to hire John Purvis for Code Enforcement Officer. Seconded by Billy Jack. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Forest asked John if he is willing to accept the position. He stated yes. Jerry stated his position will be effectively immediately.

## **3. VACATE ALLEYWAY**

A Written submission by Donna Duncan to vacate alleyway of block 4 on Pikeview and The Brotherhood of the 74 request the same for block 5. A motion was made by Billy Jack to vacate the 10 foot alleyway easement between east and west lots. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

## **4. OFFICE WINDOW**

Discussion held on putting in a window on the half door in the office for employee safety. Jerry made a motion to approve 1200.00 to install the window. Billy Jack seconded the motion. Discussion held. Forrest suggested a one way door lock. Shane Espinoza stated a need of 3 estimates for that installation. Forrest suggested giving it some more thought before we place window in the door. Jerry revoked his motion and Billy Jack revoked his second.

Forrest made a motion to remove Alberta Winslow and Nia Stewart from the checking account and signers on the account. Seconded by Jerry. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carries.

## **CITIZENS COMMENTS:**

1. Ron Mares – Recommended when requesting anything regarding vacating property it needs to go through the Planning and Zoning Committee. Comment was made there was no committee at the time however, they would only make recommendation and the board makes the decision.
2. Eva Mares – Commented on the Mayors duties she asked why Jerry did not appoint Shane for roads. Jerry stated the only positions voted on is Pro Tem Mayor and Treasure all other positions were appointed.

**NEXT SCHEDULED BOARD MEETING: Monday, January 9, 2017 at 7:00p.m.**

**ADJOURNEMENT:** Billy Jack made a motion to adjourn the meeting. Seconded by Jerry. All in favor Aye. Unanimous. Meeting adjourned at 9:16 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

***Dan Slater, Attorney at Law***

1415 Main Street  
Suite A  
Canon City, CO 81212

Ph:719-269-3315

Fax:719-269-3317

Town of Williamsburg  
1 John Street  
Williamsburg, CO  
81226

January 3, 2017

**Attention:**

File #: 6005-001

Inv #: 10174

**RE:** General Legal Advice

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
MATTER:	6005-001			
RE:	General Legal Advice			
Dec-07-16	Telephone call with Lucinda re: various issues	0.40	36.00	DBS
Dec-31-16	Adjustment for minimum monthly fee		196.00	DBS
	MATTER TOTALS:	0.40	\$232.00	
MATTER:	6005-063			
RE:	Baker Appeal			
Dec-08-16	Reviewing letter to Mr. Baker; Telephone call with Lucinda re: same	0.20	18.00	DBS
	MATTER TOTALS:	0.20	\$18.00	
	Totals	0.60	\$250.00	

**DISBURSEMENTS**

MATTER: 6005-063  
RE: Baker Appeal

Filing Fee 6.66

MATTER TOTALS: \$6.66

Totals 

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\$6.66

**Total Fee & Disbursements** 

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\$256.66

Previous Balance 250.00

Previous Payments 250.00

**Balance Now Due** 

---

\$256.66

TAX ID Number 20-1250791

**PAYMENT DETAILS**

Dec-05-16 On Account of Fees and Disbursements 250.00

**Total Payments** 

---

\$250.00

Town of Williamsburg, Co.  
Board of Trustee Meeting of January 9, 2017

**PRESENT:**

Jerry Farringer, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Forrest Borre, Town Trustee  
Shane Espinoza, Town Trustee  
Bob Busetti, Town Trustee  
Steve Ricotta, Town Trustee  
Eva Mare, Town Trustee

**ABSENT:**

Citizens at meeting – 10

**CALL TO ORDER:** Meeting was called to order by Jerry Farringer, Mayor at 7:00 p.m.

**PLEDGE ALLIGANCE:** Jerry led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** Jerry made a motion to approve the meeting minutes of December 5, 2016 as written, but to include as an attachment Eva Mares submittal to December minutes. Motion seconded by Forrest Borre. Roll Call: 6 yes, 1 no (Steve), 0 abstain and 0 absent. Motion Carried. Please see attachment (at town hall) by request.

**CITIZENS COMMENTS:** No written request was submitted prior to deadline of Thursday, January 5 at 12:00 p.m. The town office did receive an email from Steve Harrison wanting to make a citizens comment, however it was received after the deadline on Thursday, January 5 at 12:26 p.m.

**EXECUTIVE SESSION:** Jerry made a motion to retire into executive session. Billy Jack seconded the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Board retired into executive session at 7:04 p.m. Following executive session the meeting was called back to order at 7:21 p.m. Jerry stated that some legal issues were discussed.

**MAYOR'S REPORT:** Please see attached report. Report is available to citizens (at the town hall) by request.

## **COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's report for month of December. Rick's report stated that he's been working for the town of Williamsburg for 5 years now. Please see attached report, available at town hall by request.

**PARKS:** Steve stated that Angelina Park is nothing but prairie land and that he would like to work on getting grants to make walkways and add picnic tables. Jerry recommended starting with looking into a GOCO grant.

Eva asked the board a few questions on the number of water taps in the ground and stated that if you times that number (of taps) by \$55.00 the monthly deposits should be approximately \$15,000 a month and she feels the towns monthly deposits are running short. Lucinda asked if she's taking in the consideration of monthly arears that occur each month.

**PLANNING & ZONING:** A meeting was held on 1/09/2017. John Purvis was selected as Committee, Chairman. John Purvis introduced himself, than reported that the committee's goal for 2017 is to set up a mission statement and prioritize issues on safety and town drainage.

**CODE ENFORCEMENT:** John Purvis stated that he's the new Code Enforcement Officer. In December he worked on orientation and picked up some trash in the park. He stated that he looks forward to working for the town in 2017.

**TREASURE:** Forrest reported on December's financial. Please see attached report. Lucinda stated that the financials and expenditures are also found on the town web page.

**TOWN CLERK:** Lucinda stated that all the required year end reports are done and certified. Lucinda brought up about the need to purchase new water read equipment. She stated that the old system is no longer providing support service and the battery continues to die out on the hand held wand. She will be getting more information on new equipment from Dana Kempter and will forward that information to the board as it comes in. Jerry stated that he is inviting Dana Kempter to the next meeting to explain the use and cost of a new system. Lucinda stated she contacted Coal Creek on their water read equipment they use; she stated they use "Norton" system. Jerry stated that maybe Lucinda can go to Coal Creek for an hour or two and see how their program works.

## **OLD BUSINESS:**

1. **OFFICE WINDOW:** Town is still accepting bids until January 31, 2017 for office window.

**2. PRINTED DRAFT OF CODE REVISIONS:** The Copy Shop of Canon City will print up 1 updated code book (with revisions) and a thumb drive will be available for citizens to review during town office hours.

Billy Jack asked if Rick has received his uniforms yet. Jerry stated that he has and that Rick's been wearing them.

Steve Ricotta read a thank you note from the Williamsburg Women's Club thanking the town for use of their building and the Brotherhood of the 74 for their help with playing Santa Claus for Williamsburg community's children. 46 children were in attendance.

**NEW BUSINESS:**

1. No New Business discussed.

**CITIZENS COMMENTS:**

Steve Harrison approached the podium, introduced himself. He stated that he was going through county records and ran into information concerning the vacation of alleyway. He then went on saying that he contacted the town (by phone) on Tuesday and requested to be on the January 9, 2017 Agenda under citizen's comments. He felt it was unfair that he was not put on the Agenda. He stated that Mr. Farringer told him if he had any concerns to bring them to the office by 12:00 noon day of the meeting. Jerry stated that was for concerns and not for a presentation.

He stated he had a couple of questions the Attorney General asked him to ask the board of trustees on the vacating of alleyway. He asked Jerry if he authorized the recorded document. Jerry stated it was a transmittal letter and he did what he was directed by the county to do. Steve felt the way it was submitted looked to be done underhanded and felt the town misrepresented it and was not done openly. He stated that he "understand that Lucinda used a town check" for the recording fees. Jerry suggested that he contact the Attorney General and Steve stated we'll see how it works out.

Ron Mares made a comment that he did not like the town paying for the cost of dirt to fill in pot holes that they need filled in correctly with hot patch. Discussion held about the need to measure them and square them off. Ron stated he would help volunteer to fill them in and Billy Jack also stated that he would help.

**NEXT SCHEDULED BOARD MEETING: Monday, February 6, 2017 at 7:00p.m.**

**ADJOURNEMENT:** Billy Jack made a motion to adjourn the meeting. Seconded by Jerry. All in favor Aye. Unanimous. Meeting adjourned at 8:02 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.



Subject: Alleyway Vacation

From: Dan Slater <danslaterlaw@gmail.com>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Wed, 22 Feb 2017 12:54:38 -0700

Lucinda -

Per our discussion, I wanted to memorialize our recent discussion and ensure we are all on the same page.

I believe we had some kind of miscommunication when we discussed the issues arising prior to today. In particular, our previous discussion was focused on the timing of the alleyway vacation versus your recording of the vacation with the County Clerk. As I understood it, you had indicated that you had recorded the vacation of the alleyway prior to the Board officially taking action on the vacation. I also understood that there was some issue that was raised regarding compliance with the "Colorado Revised Statutes" regarding the recording. I advised you at that time that the CRS was not particularly the issue — the issue was the date of recording versus the date of the Board's action, and that the Town needed to re-record the vacation after the effective date of the Board's action. I do not recall having a discussion about the format of the Board's action (i.e., whether an ordinance was required). I believe that you understood me to indicate that an ordinance was not required, and that the CRS did not apply generally to the Board's action. That was not the intent of what I was saying, but it appears that may be what you took from that conversation, and it is certainly possible I was not as clear as I could have been, which led to this miscommunication.

So I do want to be clear, in order for the Town to vacate a roadway (which includes an alleyway), the Town must act via an Ordinance. C.R.S. § 43-2-303 (1) (a). While I had thought the Town had passed an Ordinance, it appears the Town simply took a voice vote (which was unanimous). I would suggest that the Town commence this process all over again, and introduce and pass an ordinance. Once the Ordinance has been adopted, the Town should record that ordinance. You indicated you would look for a format for this ordinance (it should be fairly simple), but if you cannot locate a good template, you will contact me and I will draft a simple ordinance vacating this alleyway.

Hopefully, this clarifies the issue some. Please let me know if you have any further questions.

— Dan

Town of Williamsburg, Co.

Board of Trustee Meeting of February 6, 2017

**PRESENT:**

Jerry Farringer, Mayor

Billy Jack Hawkins, Pro Tem Mayor

Forrest Borre, Town Trustee

Shane Espinoza, Town Trustee

Bob Buseti, Town Trustee

Steve Ricotta, Town Trustee

Eva Mare, Town Trustee

**ABSENT:**

Citizens at meeting – 12

**CALL TO ORDER:** Meeting was called to order by Jerry Farringer, Mayor at 7:00 p.m.

**PLEDGE ALLIGANCE:** Jerry led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** Steve made a motion to approve the meeting minutes of January 9, 2017 as written. Seconded by Forrest. Roll Call: 5 yes, 2 no (Eva & Shane), 0 abstain and 0 absent. Eva gave her reason why she did not approve the minutes, she stated "that they were incomplete" due to Steve Harrison's questions he asked the board (under citizens comments) were not included in the minutes. Jerry reminded Eva that minutes are based on summary and not per verbatim. Jerry also stated that she had her minutes for over a week and that if she wanted corrections or additions they needed to be made prior to the meeting. Shane did not give his reason for not approving the minutes. Motion carried.

**CITIZENS COMMENTS:** No written request was submitted.

**EXECUTIVE SESSION:** Jerry made a motion to retire into executive session. Seconded by Bob. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Board retired into executive session at 7:04 p.m. Board returned from executive session at 7:27, Jerry stated that they discussed legal& personnel issues.

**MAYOR'S REPORT:** Jerry submitted his (typed) report for February. Jerry stated that Forrest recommended having an open house on the last Wednesday of each month to give citizens the opportunity to talk to Mayor and board members. First open house is scheduled for

February 22, 2017 from 10:30 am. – 11:30 a.m. Refreshments will be available at no cost to the town. Please see attached report.

#### **COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's monthly report for January. Reported that Rick has 1 water tap to install, town park vandalism is down and that he's hearing that citizens on Rockrimmon area are having problems with theft. Please see attached report.

**PARKS:** Steve reported that he's looking into Angelina Park and found some encroachment issues by neighbors. He stated he's looking into what property is actually owned by the town.

Steve stated that he would like to see both of the town parks connected by putting in a walking trail. When he gets all the needed information Steve plans to apply for a GOCO Grant

**WATER:** Jerry reported that the next Regional Water meeting is scheduled for March 28, 2017 at 6:30 p.m.

**PLANNING & ZONING:** John reported on items discussed at the meeting: the need of a water truck so Rick can grade the roads properly; sharing of town equipment (between Rockvale, Coal Creek and Williamsburg) and ways to increase town revenue by the increase of town fees, charging contractors and utility deposits. Please see attached report.

**CODE ENFORCEMENT:** John reported on the number of tickets and violations he issued in the month of January. He stated that on one of the tickets he attempted 8 times to contact the dog owner and never could get a hold of them, so Lucinda sent them a letter. Please see report.

**TREASURE:** Forrest reported on January's financial. Stated that Tabor account is at 0 and will not be reporting on it anymore. Eva asked about the deposits in water account on why it was more than previous months. Lucinda stated that this deposit includes a water tap sale of \$4200.00 and a water tap application fee of \$25.00.

#### **TOWN CLERK:**

Lucinda stated the town issued 2 building permits #932 and #933 which totaled \$115.00. Lucinda stated that she put insurance forms of death and dismemberment in trustee's folders to complete and return to

her. Bob Pomeroy of CIRSA will be here the end of May or first of June for a town inspection to renew the towns insurance.

An exemption audit will be filed this year since the towns resources was less than \$750,000, also, a complete audit was done last year and the year before. Dana Angel is completing our exemption audit this year, which is like a mini audit.

Tim McElory of Dana Kepner, Company will be here next month to give a presentation on Updating our Meter Reading System. Old system is not being supported and the town handheld meter reader is not working. We now have a handheld reader on loan.

Billy Jack asked Lucinda if she knew the difference between the Norton system and Kepner system. Lucinda stated she may go to Coal Creek and review the Norton system and if she does go it would be around 9:00 a.m. so she doesn't miss much work time.

#### **OLD BUSINESS:**

**1. OFFICE WINDOW:** Town did not receive any bids. Jerry stated that a couple of the board members need to decide on exactly what's needed. Ron Mares recommended putting key locks on both sides.

**2. PRINTED DRAFT OF CODE REVISIONS:** Jerry stated that he's leaving the Code Book Revisions out for about a month so anyone wanting to review it can. He then plans to take it to the attorney for final review.

#### **NEW BUSINESS:**

**1. CREDIT CARD SYSTEM:** Forrest reported on looking into the credit card system with Bank of San Juan and National Bank Card and reported on their fees and transaction costs. Stated that for credit card processing it has no long term contracts, no set up fees or cancellation fees. Jerry stated he would like to try it for a few months. Forrest recommend for the board to give it some thought. Please see attached report for cost fees.

#### **2. LENGTH OF TIME FOR INFORMATION POSTED ON TOWN WEB PAGE:**

Eva suggested leaving on 3 years plus current year. Jerry asked if that was a motion. Eva made a motion to leave 3 years plus current year on web page. Billy Jack seconds the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

**3. EVA MARES:** Eva asked "who authorized the volunteer to throw away our paperwork" Jerry stated that he and Lucinda did and that the paperwork being thrown away was old with some being as old as 15 years.

Eva stated that when she was campaigning for trustee she went to approximately 100 homes of citizens that had made complaints about the town having vendettas and that they would like to see fair treatment for all.

Eva stated that she would like the board to hold a workshop to discuss the 2017 budget and the 2015 audit. She discussed concerns about the personnel wages, hours and job duties. She stated that when she served on the board before the maintenance man never came in the town office. She reported that she contacted Rockvale and Coal Creek and received information on what their town employees are paid and hours they work. Lucinda also contacted Rockvale and Coal Creek Co and read comparison figures, which shows that both towns' pay out more than Williamsburg. Eva made a motion to hold a workshop. Motion was seconded by Shane. Forrest shared his concern with holding a workshop with no criteria or specific questions, saying it could take 20 hours. So would like to have that information beforehand. Jerry stated that if any board members want to hold a workshop it takes two board members to agree before one is set up. Therefore Jerry stated a motion is not required and Jerry asked Eva if she would set it up and bring back to next meeting.

**CITIZENS COMMENTS:**

Ron Mares asked about the hourly rate of the water operator and why he is paid so much. It was explained that his hourly pay is based on an additional \$700.00 a month for having a water license; which is what the town would pay if it was contracted out.

**NEXT SCHEDULED BOARD MEETING: Monday, March 6, 2017 at 7:00p.m.**

**ADJOURNEMENT:** Meeting adjourned at 8:32 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

**Subject: Lot Line Adjustments**

From: Dan Slater <danslaterlaw@gmail.com>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Thu, 23 Feb 2017 12:31:04 -0700

Pursuant to our conversation this morning, you requested my opinion regarding the necessity for the Town Board to enact an ordinance to approve any lot line adjustments.

While I've never heard of a municipality or other local government enacting ordinances to approve simple lot line adjustments, I did review the authority provided to the town in Title 31 of the Colorado Revised Statutes, as well as the Municipal Code. I cannot find any indication that either the statutes or the Code require approval of lot line adjustments to be by ordinance. Indeed, such requirement would seem to run counter to the goal of a lot line adjustment: that is, a simple, easy and quick process to adjust lot lines where there is no dispute between the affected property owners.

Accordingly, I do not believe that lot line adjustments (where they do not involve the vacation of a roadway or portion of a roadway) need to be handled via an ordinance. Board action is all that is needed. How the Board chooses to memorialize that action is up to the Board (in other words, if they do so by ordinance, while I would not see the point of doing so, that would not invalidate the lot line adjustment, but it would be overkill).

Let me know if you have any further questions on this issue.

— Dan Slater  
Town Attorney

----- Original Message -----

**From:**

"fborre62" <[fborre62@gmail.com](mailto:fborre62@gmail.com)>

**To:**

"Town of Williamsburg" <[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)>, [maresloop@bresnan.net](mailto:maresloop@bresnan.net),  
"hawkins" <[billyjackhawkins@gmail.com](mailto:billyjackhawkins@gmail.com)>, [buffbrth@gmail.com](mailto:buffbrth@gmail.com),  
[esposhaneR1977@gmail.com](mailto:esposhaneR1977@gmail.com), [s.ricotta.trustee@gmail.com](mailto:s.ricotta.trustee@gmail.com), [robertbusetti@gmail.com](mailto:robertbusetti@gmail.com)

**Sent:**

Fri, 24 Feb 2017 05:51:09 -0600

**Subject:**

RE: Fwd: Lot Line Adjustments

I think this letter should be read into the minutes, as the advice of council, so there is no confusion and no room for other interpretation by any of us and to make clear the directions given by Dan Forrest

Sent via the Samsung GALAXY S®4, an AT&T 4G LTE smartphone

----- Original message -----

**From:** Town of Williamsburg <[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)>

**Date:** 02/23/2017 3:30 PM (GMT-06:00)

**To:** [maresloop@bresnan.net](mailto:maresloop@bresnan.net), [hawkins@billyjackhawkins@gmail.com](mailto:hawkins@billyjackhawkins@gmail.com), FORREST BORRE <[fborre62@gmail.com](mailto:fborre62@gmail.com)>, [buffbrth@gmail.com](mailto:buffbrth@gmail.com), [esposhaneR1977@gmail.com](mailto:esposhaneR1977@gmail.com), [s.ricotta.trustee@gmail.com](mailto:s.ricotta.trustee@gmail.com), [robertbusetti@gmail.com](mailto:robertbusetti@gmail.com)

**Subject:** Fwd: Lot Line Adjustments

Mrs. Lucinda Ricotta, Town Clerk

Town of Williamsburg

1 John Street

Williamsburg, CO 81226

[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)

[williamsburgcolorado.com](http://williamsburgcolorado.com)

Phone(719)784-4511 Fax(719)784-4064

----- Original Message -----

**From:**

"Dan Slater" <[danslaterlaw@gmail.com](mailto:danslaterlaw@gmail.com)>

**To:**

"Town of Williamsburg" <[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)>

**Sent:**

Thu, 23 Feb 2017 12:31:04 -0700

**Subject:**

Lot Line Adjustments

Pursuant to our conversation this morning, you requested my opinion regarding the necessity for the Town Board to enact an ordinance to approve any lot line adjustments.

While I've never heard of a municipality or other local government

enacting ordinances to approve simple lot line adjustments, I did review the authority provided to the town in Title 31 of the Colorado Revised Statutes, as well as the Municipal Code. I cannot find any indication that either the statutes or the Code require approval of lot line adjustments to be by ordinance. Indeed, such requirement would seem to run counter to the goal of a lot line adjustment: that is, a simple, easy and quick process to adjust lot lines where there is no dispute between the affected property owners.

Accordingly, I do not believe that lot line adjustments (where they do not involve the vacation of a roadway or portion of a roadway) need to be handled via an ordinance. Board action is all that is needed. How the Board chooses to memorialize that action is up to the Board (in other words, if they do so by ordinance, while I would not see the point of doing so, that would not invalidate the lot line adjustment, but it would be overkill).

Let me know if you have any further questions on this issue.

— Dan Slater  
Town Attorney



Subject: Re: Lot Line Adjustments

From: Dan Slater <dan@danslaterlaw.com>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Mon, 27 Feb 2017 15:55:44 -0700

I don't think you need an ordinance for each property; indeed, it would be preferable to do a single ordinance for the vacation — what happens, for instance, if one of the ordinances does not pass? Then you have an alleyway unconnected to anything else.

As for recordings, you cannot “undo” a recording. A recording exists for all time.

I have her ordinance. I have not yet reviewed it, but hope to do so either today or tomorrow.

— Dan

On Feb 27, 2017, at 1:46 PM, Town of Williamsburg  
<clerkwilliamsburg@bresnan.net> wrote:

Hello,

I hope you had a nice weekend.

However here we go again.

Eva was just in and seems to think we need an ordinance for each property(4 of them) that the alley way runs through...?

I told her I understood what she was saying and I am not an attorney, so I would ask you.

And that we should document the and undo the first two recordings and re recording of all of it to include the lot line vacations of private property(Donna Duncan block 4 of Pikeview and Brotherhood of the 74 block 5).

I understand her perspective however it is just than and again that would be for the attorney to advise.

??? my understanding is that the board will need to do an ordinance for vacating the alley way from the approval in December of 2016 and do a first reading and a second reading then roll call and then record the ordinance at the clerk and recorder....?

Then she wanted to know who was doing the ordinance for the vacation and I told her I had a draft that you would review and perhaps you would(idk).

Then she wanted to know if you had her ordinance and if I had a response yet.

I told her yes you had it and no I have no response yet you have other things to do as do I.

Sorry for the rhetoric,

Mrs. Lucinda Ricotta, Town Clerk

Town of Williamsburg

1 John Street

Williamsburg, CO 81226

[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)

[williamsburgcolorado.com](http://williamsburgcolorado.com)

Phone(719)784-4511 Fax(719)784-4064

**TOWN OF WILLIAMSBURG**  
**ORDINANCE NO. 2-2017**  
**SERIES OF 2017**

**AN ORDINANCE APPROVING AN ALLEY VACATION AS SET FORTH  
BELOW, FOR THE TOWN OF WILLIAMSBURG COLORADO.**

WHEREAS, the Trustees at the regular town meeting on December 4, 2016, reviewed a request from residents within the Town of Williamsburg, Colorado and

WHEREAS, the Trustees heard a motion for a alley vacation of Block 4 and 5 in the original platted portion the Colorado Fuel and Iron CO's addition to Williamsburg Colorado and

WHEREAS, the Trustees recognized that there is no need for a 10 foot utility easement or an alley way that has no advantage for the Town of Williamsburg or its citizens, and

WHEREAS, the Board of Trustees moved that land resulting from the vacated alley be equally divided between affected property owners, and

WHEREAS, this motion was voted upon by the Board of Trustees with unanimous vote of approval and

WHEREAS, copies of all agendas and minutes are on file at the Town of Williamsburg Town Hall located at 1 John Street, Williamsburg, Colorado.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WILLIAMSBURG, COLORADO:

The alley in Block 4 and 5 of Pikeview of Colorado Fuel and Iron CO's of the original platted portion of the Town of Williamsburg, Colorado is vacated, leaving the 10 foot to be equally divided between the affected property owners for further use of fore mentioned property owners located within blocks 4 and 5 of Pikeview within the town of Williamsburg.

ADOPTED THIS 3rd Day of APRIL, 2017.

ATTEST:

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Jerry Farringer, Mayor of the Town of Williamsburg, Colorado

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Lucinda Ricotta, Town Clerk of Williamsburg, Colorado

**Subject:** Re: Ordinance 2 of 2017 Vacating alleyway

**From:** Dan Slater <danslaterlaw@gmail.com>

**To:** Town of Williamsburg <clerkwilliamsburg@bresnan.net>

**Mon, 6 Mar 2017 11:57:16 -0700**

I would put the legal as follows:

Blocks 4 and 5, Colorado Fuel & Iron Company's Addition to the Town of Williamsburg

So the effective paragraph after the Be It Ordained paragraph should read:

The alley in Blocks 4 and 5, Colorado Fuel and Iron Company's Addition to the Town of Williamsburg, Colorado is hereby vacated, leaving the vacated alleyway to be divided among the affected property owners as outlined in C.R.S. § 43-2-302.

On Mar 6, 2017, at 11:43 AM, Town of Williamsburg  
<clerkwilliamsburg@bresnan.net> wrote:

Hello,

I have made all corrections per your e-mail review and the Legal is Subd: WILLIAMSBURG CFI.....lots.... BLK 4, BLK 5  
COLORADO FUEL & IRON CO'S ADD TO WILLIAMSBURG.

so do I need to re do the legal it is the same except I left CFI out

Mrs. Lucinda Ricotta, Town Clerk

Town of Williamsburg

1 John Street

Williamsburg, CO 81226

[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)

[williamsburgcolorado.com](http://williamsburgcolorado.com)

Phone(719)784-4511 Fax(719)784-4064

----- Original Message -----

**From:**

"Dan Slater" <danslaterlaw@gmail.com>

**To:**

"Town of Williamsburg" <clerkwilliamsburg@bresnan.net>

**Cc:**

**Sent:**

Thu, 2 Mar 2017 14:56:45 -0700

**Subject:**

Re: Ordinance 2 of 2017 Vacating alleyway

**Subject: Re: Eva Mares questions Ord 2 of 2017**

From: Dan Slater <dan@danslaterlaw.com>

To: Town of Williamsburg <clerkwilliamsburg@bresnan.net>

Cc: hawkins <billyjackhawkins@gmail.com>, FORREST BORRE <fborre62@gmail.com>, s.ricotta.trustee@gmail.com, robertbusetti@gmail.com, buffbrth@gmail.com, esposhaneR1977@gmail.com, maresloop@bresnan.net

Mon, 6 Mar 2017 14:22:04 -0700

1. It is my understanding that this alleyway was platted but never constructed. If so, why does it matter (legally speaking) whether a property owner agrees or disagrees? The Town can act (again, from a legal perspective) whether a property owner agrees or not. So agreement in writing is not a legal component.
2. Nope. You don't need to include anything about property owners or lot numbers. The ordinance is sufficient as we have revised it.
3. Nope. As I have previously indicated, two separate ordinances not only is not necessary, it creates a potential logistical nightmare of one passes and the other does not. It is a horrible idea.
4. Finally, if she is concerned about the amount of money being spent on these issues, perhaps she should not be wasting the town's legal fees requiring me to answer the same questions several times over.

I hope this resolves these issues.

— Dan Slater  
Town Attorney

On Mar 6, 2017, at 2:03 PM, Town of Williamsburg  
<clerkwilliamsburg@bresnan.net> wrote:

Hello Dan,

I have had several more questions from Trustee Eva Mares regarding the Ordinance for the alley way.

She wants in writing approval from the Railey's as to their permission was given by phone and requested in writing as to which I have not received yet.

She also thinks that we need to include the property owners' names and the lot numbers that this would affect.

She thinks that we need two separate Ordinances' one for each block.

I explained that it has been through you and that I am not aware that it needs to be that way however, I would asked you to further advise.

She is also concerned with the amount of money being spent on this particular issue.

I asked her to address this in an e-mail and I would forward it to you or she could make time to come in and discuss it over the phone with you and another board member.

However she has company so I told her I would send you her questions for advisement.

Attached are my changes. However, I'm not quite content with the legal description. I don't have the actual legal description, but what you have written in there does not seem correct to me. It is probably enough for recording and notice, but I'd prefer if it be more accurate.

— Dan

***Dan Slater, Attorney at Law***

1415 Main Street  
Suite A  
Canon City, CO 81212

Ph:719-269-3315

Fax:719-269-3317

Town of Williamsburg  
1 John Street  
Williamsburg, CO  
81226

March 1, 2017

**Attention:**

File #: 6005-001

Inv #: 10247

**RE:** General Legal Advice

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
MATTER:	6005-001			
RE:	General Legal Advice			
Feb-13-17	Telephone call with Lucinda re: various issues	0.30	18.75	DBS
Feb-22-17	Telephone call with Lucinda re: various issues	0.50	31.25	DBS
	Reviewing statute on roadway vacation; email to Town re: same	0.40	25.00	DBS
	Reviewing budget revision resolution; email to Town re: same	0.20	12.50	DBS
Feb-23-17	Reviewing statute re: publishing bills; Telephone call with Lucinda re: same	0.40	25.00	DBS
	Reviewing emails re: lot line adjustments and Board actions; responding to same	0.30	18.75	DBS
Feb-27-17	Reviewing emails re: Lot Line Adjustment	0.20	12.50	DBS
	Reviewing email from Lucinda and responding re: various issues	0.30	18.75	DBS
Feb-28-17	Telephone call with Lucinda re: status of various items	0.40	25.00	DBS
	MATTER TOTALS:	3.00	\$187.50	

MATTER:	6005-020			
RE:	Prosecutions of Municipal Code Violations (Various)			
Feb-23-17	Reviewing template for notice of Code violations; Reviewing specifics in Municipal Code; editing same; email to Lucinda with revisions	0.60	37.50	DBS
	MATTER TOTALS:	0.60	\$37.50	
MATTER:	6005-033			
RE:	Interpretation of Municipal Codes			
Feb-22-17	Reviewing proposed ordinance on Marijuana plant seizure; responding with changes	0.40	25.00	DBS
Feb-23-17	Telephone call with Lucinda re: need for ordinance for Lot Line Adjustments?	0.20	18.00	DBS
	Telephone call with Mayor re: proposed ordinance and appropriations	0.20	18.00	DBS
	Reviewing CRS re: municipal authority to handle subdivisions; Reviewing Mun Code re: lot line adjustments; Drafting email to Town re: no need for ordinance for lot line adjustments	0.80	72.00	DBS
	Reviewing Ord 5 of 2010; Reviewing statute referenced; email to Lucinda re: same	0.40	36.00	DBS
Feb-28-17	Reviewing Ordinance from Trustee Mares; Drafting Opinion Email to Town re: various issues within Ordinance	1.20	108.00	DBS
	MATTER TOTALS:	3.20	\$277.00	

voice #: 10247

Page 3

March 1, 2017

MATTER: 6005-056  
RE: Fox Property

Feb-16-17	Telephone call with Lucinda re: judicial foreclosure	0.30	27.00	DBS
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MATTER:	MATTER TOTALS:	0.30	\$27.00	
RE:	6005-063 Baker Appeal			

Feb-13-17	Telephone call with Judge Mandel re: court dates	0.20	18.00	DBS
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MATTER TOTALS:	0.20	\$18.00	
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Totals	7.30	\$547.00	
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**Total Fee & Disbursements**

Retainers Applied	\$547.00
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Previous Balance	3.66
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Previous Payments	253.00
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253.00
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**Balance Now Due**

\$543.34
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TAX ID Number 20-1250791

**PAYMENT DETAILS**

Feb-13-17	On Account of Fees and Disbursements	256.66
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**Total Payments**

\$256.66
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# **Town of Williamsburg**

Board of Trustees Meeting

Monday, March 6, 2017

**7:00 PM**

## **AGENDA**

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

LAST MEETING MINUTES APPROVAL:

SPEAKER: Tim McElory of Dana Kepner Company: Presentation on a New Meter Read System

CITIZENS COMMENTS: **(5 MINUTE TIME LIMIT)**

ALBERTA WINSLOW

RON KRAUTHEIM

DONNA KRAUTHEIM

RETIRE TO EXECUTIVE SESSION IF NEEDED RE: LEGAL OR PERSONNEL MATTERS

MAYOR'S REPORT:

COMMITTEE REPORTS: Roads & Maintenance, Parks, Water, Planning Zoning, Code Enforcement.

TREASURERS REPORT:

TOWN CLERK REPORT:

OLD & UNFINISHED BUSINESS:

1. Office Window:
2. Credit Card System:
3. Workshop Agenda:
4. Ordinance 2 of 2017 :Vacating Alleyway

NEW OR OTHER BUSINESS:

1. Liability & Confiscation of Marijuana Plants
2. Resolution 1 of 2017 - Amended Street Budget
3. Resolution 2 of 2017 – Exemption from Audit
4. First Aid Kit/Defibrillator
5. Ordinance 3 of 2017 – Payment of Bills and Associated Procedures

\*CITIZEN COMMENTS NOT ASSIGNED TO AGENDA (3 minute time limit)

NEXT SCHEDULED BOARD MEETING:

Regular Board of Trustees Meeting Scheduled for Monday, April 3, 2017 at 7:00 p.m.

ADJOURNMENT:

Town of Williamsburg, Co.  
Board of Trustee Meeting of March 6, 2017

**PRESENT:**

Jerry Farringer, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Bob Buseti, Town Trustee  
Steve Ricotta, Town Trustee  
Eva Mares, Town Trustee

**ABSENT:**

Forrest Borre, Town Trustee  
Shane Espinoza, Town Trustee

**CALL TO ORDER:** Meeting was called to order by Jerry Farringer, Mayor at 7:00 p.m.

**PLEDGE ALLIGANCE:** Jerry led the meeting by reciting the Pledge of Allegiance.

Jerry provided the reasons for Forrest and Shane's absence. Jerry recommended both absences be excused; asked the board for further discussion. None made. Both absences excused.

**LAST MEETING MINUTES:** Billy Jack made a motion to approve the meeting minutes of February 6, 2017 as written. Motion seconded by Steve. Roll Call 5 yes, 0 no, 0 abstain & 2 absent. Motion Carried.

**SPEAKER:** Tim McElory's presentation on a new Meter Read System was canceled due to health issues.

**CITIZENS COMMENTS:**

**Donna Krautheim** addressed the board with issues concerning Code Enforcement and her complaint form she completed on February 21, 2017. She stated that she had problems with 3 people taking pictures of her property. She stated that her and husband Ron did not give permission to take pictures of her property and she considered it trespassing on private property. Jerry stated they weren't on her property (taking pictures) they were in Rockvale.

Jerry showed Donna an aerial photo of her place (from Google Earth) which shows the condition of her property.

Jerry also told Donna that the town has received several complaints concerning her property

Jerry stated the town code enforcement officer is issuing violation letters on properties that need cleaned up. This is a follow-up from the September's 2016 town's cleanup project; which provided citizens the opportunity to clean-up their properties by providing free dumpsters. Lucinda stated she's mailing out approximately 30 violation letters this month.

**Ron Krautheim's** comment was on the subject of the black death of Europe and bubonic plague in Colorado Springs in 1960 where prairie dogs were killed because of the plague. He suggested that spring and summer is high chance of getting this disease and that the code enforcement officer should look at attending a seminar relating to it. He also stated that in the past a local resident died from the plague.

**Alberta Winslow** started her comment by saying "she was looking forward to starting out the New Year with a new board by thinking they would have a positive attitude and look into moving forward". However stated that Eva Mares has expressed concern regarding current employees hours and budget. Alberta described the way the board in 2007 thru 2010 conducted business regarding town employees hours and budget. Questioning the need to look at employee hour cutbacks, workshops and review current budget. Please see Alberta's attached written comments and records from past board actions.

**EXECUTIVE SESSION:** Steve made a motion to go into executive session. Seconded by Billy Jack. Steve Harrison referenced the Colorado Revised Statue on procedure for executive session stated this is second time he's announced they're doing it wrong. Roll call: 5 yes, 0 no, 0 abstain and 2 absent. Motion Carried.

Board retired into executive session at 7:26 p.m. Board returned from executive session at 7:40. Jerry stated they discussed legal & labor board issues. No decisions made.

#### **MAYOR'S REPORT:**

Jerry read his written report for February. Thanked Steve Harrison for bringing to the board's attention the need of an ordinance on vacating an alleyway.

Stated February was a quite month.

Reported that he and Billy Jack attended March's mayor round table meeting. Discussion at meeting was the possibility of a water cost increase; not per user but for the town if they use over a certain amount. Please see attached report.

**COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's monthly report for February. No new park vandalism. Next month he plans to spray weeds at the park. Water loss is way down since the new water project and better water pressure. Please see attached report.

**PARKS:** Steve reported that Jerry and himself walked through Angelina Park and found that the town had more land than what was previously thought. Jerry stated the town also has 100 yards of land down by the creek.

**WATER:** Jerry stated that at March's Mayor's round table meeting, Mike Patterson stated that Florence is considering an increase to towns water cost if they use more than 4,000,000 gallons in a month. Next Regional Water meeting is scheduled for March 28 at 6:30 p.m.

**PLANNING & ZONING:** Due to the absence of John Purvis; Billy Jack read John's written report (for February). In the report it stated that Planning & Zoning Committee is working at being more pro-active in establishing commercial building codes, multiple tap fees per parcel and new planning and zonings codes for multifamily dwellings. This would require updates on building codes to 2016 UBC standards. Mentioned the need for new road signs some of the old signs are in bad condition. Please see attached report.

**CODE ENFORCEMENT:** Billy Jack read John's report which indicated that most of the problems this month are related to pets and ATV's on the roads. He conducted a town wide survey on 2/21 which produced 47 code violations that require immediate attention with removal of junk cars, trash and debris. Please see attached report.

**TREASURE:** Report was tabled due to Forrest's absence. Lucinda stated that Forrest will give February and March's treasure's report in April.

**TOWN CLERK:**

Lucinda reported that 1 building permit was issued permit # 934 in the amount of \$146.00 for a Tuff Shed.

Reported the town needs to purchase of new printer/copier. Billy Jack made a motion to buy a new printer/copier. Discussion held to set a cost limit to not exceed \$500.00. Billy Jack amended his motion to buy a printer copier not to exceed \$500.00. Motion seconded by Steve. Roll call 5 yes, 0 no, 0 abstain and 2 absent. Motion Carried.

Lucinda stated that 2 kennel licenses applications were picked up in February; from Perry Souza and Barbara Engle. John visited both locations saw the dogs were in very good condition with food and water so his recommendation for the board is to approve both kennel licenses. Jerry asked if the neighbors were contacted on Central regarding the multiple dogs. They have not been contacted so Barbara Engle's kennel license is tabled.

Perry Souza does not have neighbors so Jerry made a Motion to approve Perry Souza kennel license and Second by Billy Jack. Roll Call: 5 yes, 0 no, 0 abstain and 2 absent. Motion carried.

#### **OLD BUSINESS:**

1. **OFFICE WINDOW:** Jerry stated that he and Billy Jack went to Rockvale town hall to look at their newly installed security window and locks, he requested that other board members go look at it to see if that's what is wanted for our town hall. Tabled until April's meeting.
2. **CREDIT CARD SYSTEM:** Jerry stated that he's not sure if the credit card system is cost effective. Steve stated that he thinks it maybe more trouble than it's worth.
3. **WORKSHOP AGENDA:** Eva stated that she contacted CML and they're willing to come teach a class for employees on how to treat people when they come into the office. Jerry responded; by telling Eva to set one up and contact other towns to see if they would be interested in the workshop. Steve asked Eva "what are you talking about" I thought the workshop dealt with employee hours, finance and 2017 town budget. Motion was made for Eva to contact CML on a workshop for staff. Roll call: 5 yes, 0 no 0 abstain and 2 absent. Jerry asked for her not to set up workshop prior to April's meeting and get with CML to set up a topic.
4. **ORDINANCE 2 OF 2017 FOR VACATING ALLEYWAY:**  
Eva brought up the need to have ordinances available for review 48 hours prior to being voted on. Lucinda stated that this is only the first read with no vote.

Jerry read and a letter from Dan Slater referencing the vacating of property and clarifying the use of an ordinance. Jerry read Ordinance 2 of 2017. First read.

#### **NEW BUSINESS:**

1. **LIABILITY & CONFISCATION OF MARIJUANA PLANTS – Ordinance 1 of 2017:**

Jerry read proposed ordinance stated that it is a follow-up from an ordinance that was passed in 2012. First read.

**2. RESOLUTION 1 OF 2017: Amended Street Budget**

Jerry made a motion to accept the amended street budget and motion seconded by Billy Jack. Roll Call: 5 yes, 0 no, 0 abstain and 2 absent. Motion carried.

**3. RESOLUTION 2 OF 2017: Exemption from Audit from 2016.**

Jerry read the resolution. Lucinda read an e-mail from Dana Angel on his comments. Then Jerry made the motion to approve Resolution 2 of 2017 and motion seconded by Billy Jack. Motion Carried 5 yes, 0 no, 0 abstain and 2 absent.

**4. FIRST AID KIT/DEFIBRILLATOR:** Lucinda stated she contacted CIRCA to see if it was a good idea or not. Lucinda read their response. Defibrillator cost is between \$800 to \$2000.00. Jerry will look into actual prices.

**5. ORDINANCE 3:**

Eva read Ordinance 3 of 2017. First read. Some revisions are needed to the Ordinance per attorney. This will be addressed again next month.

Donna Krautheim commented to where the town was with the bike rack. Stated she had some metal she'd donate so Rick could make one. She'll deliver the metal to the shop.

**CITIZENS COMMENTS:**

Ron Mares. Commented that he has some solid particle in his water and asked what the procedure is to flush lines. Jerry stated they run them until the water comes out clean. Ron invited Jerry to come over to see his complaint.

**ADJOURNEMENT:** Meeting adjourned at 8:55 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

## Mayors Report March 6 2017

During the January meeting Mr Harrison brought to our attention that the vacating of an alleyway required an ordinance. Prior to that time we had discussions with the towns attorney and understood that an ordinance was not required. Further discussions with the attorney resulted in identifying the early conversation had resulted in a misunderstanding of what was required. The attorney stated that he misunderstood just what it was we were trying to do. We now know that an ordinance is required. I apologize to Mr Harrison and thank him for alerting us to the documentation required.

**The February Mayors meeting** was rather quit. A presentation of the early history of oil and gas was made. Florence is in the talking stage with the possibility of a mexican restaurant coming in. Canon City is having difficulty in reaching an agreement with the Humane Society (that issue has since been resolved). The Mayor also indicated that each entity should pay the same rate per capita. Tony said the county is taking bids for asphalt. He will let us know when it is available. There is an application for a large marijuana grow facility south of Florence. That facility has now been approved.

On February 21st. Billy Jack, John Purvis, and myself retraced the route that Forrest and I did last August to identify continuing trash, etc. problems. Residents that did not take advantage of the Labor Day cleanup will/are receiving letters identifying the codes they are not in noncompliance with and corrective actions needed. A standard form is being developed to identify what items need to be brought up to date.

### The March Mayors meeting

Billy Jack and I attended the March 1st meeting in Rockvale. There was discussion about a joint effort for us, Rockvale and Coal Creek being able to share a law enforcement effort. Mike Patterson said he would talk with their police chief and see just what the cost would be to utilize their police force. Besides an annual salary, there may be some related costs for equipment, etc. This is an ongoing effort. There may be a water cost increase but not per user. Instead they are looking at a fee if a town uses over a certain amount. This is still in the talking stage. Mike indicated there may be another Federal Prison coming to the area. We looked at the electronic lock Rockvale had installed. They think it works just fine.



### **Slaters answer on joining lot lines:**

Pursuant to our conversation this morning, you requested my opinion regarding the necessity for the Town Board to enact an ordinance to approve any lot line adjustments.

While I've never heard of a municipality or other local government enacting ordinances to approve simple lot line adjustments, I did review the authority provided to the town in Title 31 of the Colorado Revised Statutes, as well as the Municipal Code. I cannot find any indication that either the statutes or the Code require approval of lot line adjustments to be by ordinance. Indeed, such requirement would seem to run counter to the goal of a lot line adjustment: that is, a simple, easy and quick process to adjust lot lines where there is no dispute between the affected property owners.

Accordingly, I do not believe that lot line adjustments (where they do not involve the vacation of a roadway or portion of a roadway) need to be handled via an ordinance. Board action is all that is needed. How the Board chooses to memorialize that action is up to the Board (in other words, if they do so by ordinance, while I would not see the point of doing so, that would not invalidate the lot line adjustment, but it would be overkill).



***Dan Slater, Attorney at Law***

1415 Main Street  
Suite A  
Canon City, CO 81212

Ph:719-269-3315

Fax:719-269-3317

Town of Williamsburg

April 3, 2017

1 John Street  
Williamsburg, CO  
81226

ntion:

File #: 6005-001

Inv #: 10274

## General Legal Advice

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
MATTER:	6005-001			
RE:	General Legal Advice			
Mar-02-17	Telephone call with Lucinda re: various items	0.20	12.50	DBS
Mar-14-17	Telephone call with Lucinda re: various items	0.30	18.75	DBS
Mar-21-17	Telephone call with Lucinda re: various items	0.30	18.75	DBS
	MATTER TOTALS:	0.80	\$50.00	
MATTER:	6005-033			
RE:	Interpretation of Municipal Codes			
Mar-02-17	Reviewing Ord 2 of 2017 - Alley Vacation; revising same; Reviewing plats on Assessor Website / County GIS; email to Town re: same	0.80	50.00	DBS
Mar-06-17	Reviewing email re: legal description for alley vacation and responding	0.30	18.75	DBS
	Reviewing email from Lucinda re: Mares questions and responding	0.40	25.00	DBS
	Telephone call with Lucinda re: a couple of pending ordinance issues	0.20	12.50	DBS

Mar-13-17	Telephone call with Lucinda re: new sections of Code review for attorney review	0.10	6.25	DBS
Mar-21-17	Reviewing revised ordinance from Trustee Mares; email to Town re: remaining concerns	0.50	31.25	DBS
MATTER: RE:	MATTER TOTALS: 6005-039 <u>Open Records Requests</u>	2.30	\$143.75	
Mar-29-17	<u>Telephone call with Lucinda re: Harrison Request for all emails</u>	0.40	25.00	DBS
	Telephone call with Borre re: charging for time and existence of CORA policy	0.20	12.50	DBS
Mar-30-17	<u>Telephone call with Lucinda re: various issues with Harrison request</u>	0.30	18.75	DBS
	<u>Telephone call with Lucinda re: Harrison refusing to pay for CORA request; need for letter from me</u>	0.30	27.00	DBS
	<u>Reviewing CORA policy / form from Town; Drafting letter to Harrison re: him rescinding his request</u>	0.70	63.00	DBS
Mar-31-17	<u>Reviewing letter from Harrison; responding to same</u>	0.70	63.00	DBS
MATTER: RE:	MATTER TOTALS: 6005-051 Elections	2.60	\$209.25	
Mar-14-17	Email to County Attorney re: election numbers	0.20	18.00	DBS
Mar-15-17	Reviewing email from County Atty Jackson; Reviewing statute; email to Lucinda re: numbers and requirements for Petitions	0.30	27.00	DBS
	MATTER TOTALS:	0.50	\$45.00	

e #: 10274

Page 3

April 3, 2017

MATTER: 6005-063  
RE: Baker Appeal

Mar-21-17	Telephone call with Lucinda re: payment arrangement and cancellation of court this afternoon	0.10	9.00	DBS
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MATTER TOTALS:	0.10	\$9.00
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Totals	6.30	\$457.00
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Total Fee & Disbursements	\$457.00
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Previous Balance	543.34
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Previous Payments	543.34
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Balance Now Due	\$457.00
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TAX ID Number 20-1250791

#### PAYMENT DETAILS

Mar-13-17	On Account of Fees and Disbursements	543.34
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Total Payments	\$543.34
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**Town of Williamsburg**  
Board of Trustees Meeting  
Monday, April 3, 2017  
7:00 PM

**AGENDA**

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**LAST MEETING MINUTES APPROVAL:**

**CITIZENS COMMENTS: (5 MINUTE TIME LIMIT)**

Sharon Smith – Use of Town Hall

**RETIRE TO EXECUTIVE SESSION IF NEEDED RE: C.R.S. 24-6-402 Subsection (4) LEGAL OR PERSONNEL MATTERS**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:** Roads & Maintenance, Parks, Water, Planning Zoning, Code Enforcement.

**TREASURERS REPORT:**

**TOWN CLERK REPORT:**

**OLD & UNFINISHED BUSINESS:**

1. Office Window:
2. Credit Card System:
3. Workshop Agenda: (Eva asked to have it removed )
4. Ordinance 1 of 2017 – Liability & Confiscation of Marijuana Plants – Second Read
5. Ordinance 2 of 2017 :Vacating Alleyway – Second read
6. Ordinance 3 of 2017 – Payment of Bills and Associated Procedures – Second Read
7. First Aid Kit/Defibrillator

**NEW OR OTHER BUSINESS:**

1. Recommendation from Planning & Zoning Committee – Variance to Fence
2. Donna Krautheim – Recognition.
3. Town Hall Use: Eva

**\*CITIZEN COMMENTS NOT ASSIGNED TO AGENDA (3 minute time limit)**

**NEXT SCHEDULED BOARD MEETING:**

Regular Board of Trustees Meeting Scheduled for Monday, May 1, 2017 at 7:00 p.m.

**ADJOURNMENT:**

Town of Williamsburg, Co.  
Board of Trustee Meeting of April 3, 2017

**PRESENT:**

Jerry Farringer, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Forrest Borre, Town Trustee  
Shane Espinoza, Town Trustee  
Bob Buseti, Town Trustee  
Steve Ricotta, Town Trustee  
Eva Mares, Town Trustee

**ABSENT:**

**CALL TO ORDER:** Meeting was called to order by Jerry Farringer, Mayor at 7:00 p.m.

**PLEDGE ALLIGANCE:** Jerry led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** Bob made a motion to accept the minutes of March 6, 2017 as written. Eva stated she had a correction to those minutes , stated "on page 4 paragraph 3 " under Workshop Agenda there was no name of who made the motion and who seconded the motion. Motion to approve minutes was seconded by Steve. Roll Call: 3 yes, 2 no (Bob & Eva) Eva stated she was not approving minutes until they were corrected. 2 abstain (Forrest & Shane) and 0 absent. Motion carried to approve the March 6, 2017 minutes.

**CITIZENS COMMENTS:**

**Sharon Smith:** Sharon thanked the Mayor/ Board of Trustees for the use of the town hall on March 23 for granddaughter's wedding reception. Eva asked Sharon if she paid rent for the town hall use. Sharon responded by saying that she paid a \$100.00 damage deposit and damage deposit was returned back to her.

**EXECUTIVE SESSION:** Jerry made a motion to retire into executive session. Steve seconded the motion. Roll Call: 7 yes, 0 no, 0 abstain & 0 absent. Steve Harrison stated the town is not using correct procedure for retiring into executive session. Jerry responded by saying the procedure is correct and C.R.S. 24-06-402 was referenced on the Agenda. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Retired into executive session at 7:07 p.m. , returned at 7:26 with regular meeting resuming. Jerry stated they discussed a legal issue on

judicial fortification and reviewed John Purvis, Code Enforcement Officer's written resignation. This will be addressed further next month.

Jerry stated that Rick Pint is up for annual review and recommended to increase his wages .53 cents an hour, effective on April 1, 2017. Forrest made the motion to increase Rick's wages .53 an hour. Jerry seconded the motion. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

#### **MAYOR'S REPORT:**

Jerry read his written report for March. Reported that he's changing the meet and greet to every other month with the next one on Wednesday, May 31, 2017 at 10:30 a.m.

Jerry reported that in March two weddings were held at the town hall. Jerry read a Thank You card from the Winslow family for town hall use.

Jerry reported on the formula the state uses on figuring out road tax. He stated that Williamsburg receives .01375% for 11.74 miles. Please see attached report.

Jerry reported that the Regional Water System is planning on holding a treatment plant tour on May 13, 2017, if anyone is interested on attending they need to contact Jerry. Eva stated that Williamsburg Co. has the highest water bill in the state. Jerry said that is due to debt retirement. Eva stated that it's not, "it's due to administrative cost and water loan". Jerry asked Eva to stay on topic, that what she's talking about is not related to the regional water meeting. Please see attached report.

#### **COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's monthly report for March. Please see attached report.

**PARKS:** Steve reported that when he gets things all set up on the parks he'll go after grants. Jerry stated that he should talk to Kris Sullivan as a volunteer to see if she would like to help with the grant writing.

**WATER:** Discussed under Mayor's report.

**PLANNING & ZONING:** John reported that there were no new topics discussed. Please see attached report.

**CODE ENFORCEMENT:** John stated he gave out 9 post cards to citizens that need to renew their dog licenses. Stated he's been busy working with the town on property code violations, which will only improve the town's appearance and increase property value. He stated he looks forward to see how it all turns out. Please see attached report.

**TREASURE:** Forrest read February's finance figures, stated to ignore the dates on the side that he forgot to change them. Reported he's designed a new page with comparison figures on accumulation totals. Forrest plans to provide these each month.

Forrest read March's finance report figures. See attached reports.

**TOWN CLERK:**

Lucinda reported that 2 building permits were issued in March permit # 935 and #936 totaling \$136.00.

Lucinda stated that town has had some technical and web issues with Charter. HUTF report is due and Lucinda will have it completed by the end of April. Received franchise check from Charter.

Lucinda reported that she's received a good response from town citizens that received clean-up violation letters they're responding by cleaning up and requesting extensions.

Lucinda stated that the town has received several complaints about the recyclable bin such as location and trash blowing everywhere. Discussion held on what to do about the recyclable bin. Shane made a motion to eliminate the recycle bin. Seconded by Billy Jack. Roll call: 6 yes, 1 no (Forrest) 0 abstain and 0 absent. Motion carried.

Lucinda reported that the town has received 10 dump passes and if anyone wants one there available at the town hall.

**OLD BUSINESS:**

1. **OFFICE WINDOW:** Looking at a separate area with a wall and window.
2. **CREDIT CARD SYSTEM:** Jerry made a motion to drop the credit card system. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.
3. **WORKSHOP AGENDA:** Eva made a motion to cancel a workshop until a later date. Seconded by Jerry. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent.

**4. ORDINANCE 1 OF 2017 – Liability & Confiscation of Marijuana Plants- Second Read.**

Steve made a motion to accept Ordinance 1 of 2017 and seconded by Billy Jack. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

**5. ORDINANCE 2 OF 2017 – Vacating Alleyway – Second Read**

Jerry made a motion to accept Ordinance 2 of 2017 and seconded by Billy Jack. Eva asked what the address would be 3 or 4 Pikeview. Lucinda stated that it is determined by blocks and not addresses, however it did get recorded as 4. Lucinda stated that this is a county issue. Roll Call: 4 yes, 2 no (Eva & Shane) 1 abstain (Steve) and 0 absent. Motion Carried.

**6. ORDINANCE 3 OF 2017 – PAYMENT OF BILLIS AND ASSOCIATED PROCEDURES – SECOND READ.**

Eva made a motion to table this until May 2017. Seconded by Jerry. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

**7. FIRST AID KIT/DEFIBRILLATOR**

Jerry stated that the town's first aid kit is about 12 years outdated and suggested that the town purchase a new first aid kit as well as an AED defibrillator. Jerry made a motion to purchase these items not to exceed \$1500 dollars. Motion seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Jerry asked Shane if he would look into the cost. Shane was in agreement to look into it.

**NEW BUSINESS:**

**1. RECOMMENDATION FROM PLANNING AND ZONING COMMITTEE – VARIANCE TO FENCE**

Eva made a motion to give the fence variance. Seconded by Steve. Roll Call: 7 yes, 0 no 0 abstain & 0 absent. Motion Carried.

**2. DONNA KRAUTHEIM – RECOGNITION -**

Donna approached the board and accepted her award plaque.

**3. TOWN HALL USE: EVA**

Eva asked if the citizens using the town hall is paying a rental fee. Lucinda stated that the citizens are giving a \$100.00 deposit fee and is refunded back to them if the town



hall is clean and in good condition. Discussion held that it's ok for the town clerk to accept reservations (from citizens) when they request town hall use.

Billy Jack asked if they are planning a workshop to approve the new water read system. Eva stated why it needs to be upgraded. Jerry stated that right now town is borrowing the gun reader and that the software is not being supported anymore. Discussion was to contact Tim of Dana Kepner on holding a workshop on April 13<sup>th</sup> or April 20<sup>th</sup>. This workshop is open to the public, but not open for discussion.

**CITIZENS COMMENTS:**

**Donna Krautheim** – Donna stated that “I’m putting all the rumors to rest that Ron is not the poster child for Methamphetamine”.

**Ron Mares** stated that he “would like the formula to make water run up hill”.

**Eva Mares** stated that she wanted it on record that she did not feel that the executive session was truly an executive session.

**ADJOURNEMENT:** Meeting adjourned at 8:35 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

**TOWN OF WILLIAMSBURG  
ORDINANCE NO. 2-2017  
SERIES OF 2017**

**AN ORDINANCE APPROVING AN ALLEY VACATION AS SET FORTH  
BELOW, FOR THE TOWN OF WILLIAMSBURG COLORADO.**

WHEREAS, the Trustees at the regular town meeting on December 5, 2016, reviewed a request from residents within the Town of Williamsburg, Colorado; and

WHEREAS, the Trustees heard a motion for an alley vacation of Blocks 4 and 5 in the original platted portion of the Colorado Fuel and Iron CO's addition to Williamsburg, Colorado; and

WHEREAS, the Trustees recognized that there is no need for a 10 foot utility easement or an alley way that is of no advantage to the Town of Williamsburg or its citizens; and

WHEREAS, the Board of Trustees moved that land resulting from the vacated alley be equally divided between affected property owners; and

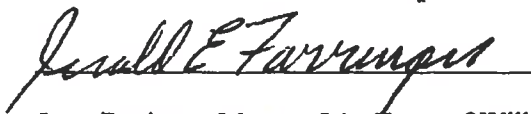
WHEREAS, this motion was voted upon by the Board of Trustees with unanimous vote of approval and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WILLIAMSBURG, COLORADO:

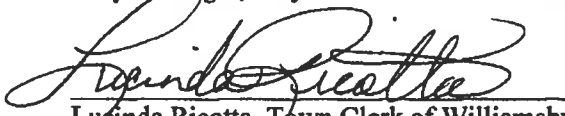
The alley in Blocks 4 and 5 of Colorado Fuel and Iron Company's addition to the Town of Williamsburg, Colorado is hereby vacated, leaving the vacated alley way to be divided among the affected property owners outlined in C.R.S. 43-2-302.

ADOPTED THIS 3rd Day of APRIL, 2017.

ATTEST:



Jerry Farringer, Mayor of the Town of Williamsburg, Colorado




Lucinda Ricotta, Town Clerk of Williamsburg, Colorado

1-10-17

I Donna Duncan Request that  
Lucinda to Draft my Lot ~~line~~ line  
vacation. Thank you for Vacating  
the alley way on my property this is to  
the Town of Williamsburg

Thank you  
Donna Duncan

RECEIVED JAN 10 2017



9/20/17

To whom it may concern:

Last October - November Lucinda called me about divided property - alley behind my house. She was wanting to know if it could be added to my property. I told her I didn't care that was fine. She stated she had to ask before adding the 5 feet or so to my property. I was notified of this & had no concerns of it being done. If you have any further questions feel free to contact me.



784-6983

Donna Raley

To whom it may concern

9-21-17

We asked the town of Williamsburg  
to vacate the alleyway running between  
our two properties. to insure a builder  
will be able to meet the required set  
back of the town of Williamsburg and  
for the county Septic Code

Signed

Donna Duncan

Jack Duncan